

Table 5.34

Offenders sentenced under the U.S. Sentencing Commission guidelines

By primary offense, sex, race, and ethnicity, fiscal year 1995

Primary offense	Sex					Race, ethnicity ^a									
	Total cases	Male		Female		Total cases	White			Black		Hispanic		Other ^b	
		Number	Percent	Number	Percent		Number	Percent	Number	Percent	Number	Percent	Number	Percent	
Total	38,367	32,641	85.1%	5,726	14.9%	38,136	14,951	39.2%	11,120	29.2%	10,430	27.3%	1,635	4.3%	
Murder	85	76	89.4	9	10.6	85	29	34.1	27	31.8	8	9.4	21	24.7	
Manslaughter	48	42	87.5	6	12.5	48	13	27.1	3	6.3	0	X	32	66.7	
Kidnaping, hostage-taking	62	59	95.2	3	4.8	62	21	33.9	17	27.4	13	21.0	11	17.7	
Sexual abuse	177	174	98.3	3	1.7	176	19	10.8	14	8.0	10	5.7	133	75.6	
Assault	390	361	92.6	29	7.4	386	156	40.4	115	29.8	37	9.6	78	20.2	
Robbery	1,603	1,512	94.3	91	5.7	1,599	686	42.9	751	47.0	130	8.1	32	2.0	
Arson	97	95	97.9	2	2.1	97	75	77.3	5	5.2	8	8.2	9	9.3	
Drug offenses															
Trafficking	14,183	12,548	88.5	1,635	11.5	14,146	3,770	26.7	5,066	35.8	5,059	35.8	251	1.8	
Communication facility	332	256	77.1	76	22.9	330	98	29.7	99	30.0	131	39.7	2	0.6	
Simple possession	773	618	79.9	155	20.1	764	306	40.1	124	16.2	315	41.2	19	2.5	
Firearms	2,573	2,477	96.3	96	3.7	2,570	1,154	44.9	1,035	40.3	308	12.0	73	2.8	
Burglary, breaking and entering	66	65	98.5	1	1.5	66	44	66.7	14	21.2	3	4.5	5	7.6	
Auto theft	149	147	98.7	2	1.3	149	88	59.1	39	26.2	19	12.8	3	2.0	
Larceny	2,490	1,705	68.5	785	31.5	2,460	1,216	49.4	888	36.1	201	8.2	155	6.3	
Fraud	5,905	4,588	77.7	1,317	22.3	5,877	3,555	60.5	1,473	25.1	506	8.6	343	5.8	
Embezzlement	815	349	42.8	466	57.2	810	512	63.2	192	23.7	55	6.8	51	6.3	
Forgery, counterfeiting	790	638	80.8	152	19.2	786	303	38.6	276	35.1	129	16.4	78	9.9	
Bribery	303	270	89.1	33	10.9	302	179	59.3	52	17.2	49	16.2	22	7.3	
Tax	744	644	86.6	100	13.4	742	607	81.8	50	6.7	50	6.7	35	4.7	
Money laundering	832	669	80.4	163	19.6	824	364	44.2	130	15.8	300	36.4	30	3.6	
Racketeering, extortion	414	371	89.6	43	10.4	412	227	55.1	110	26.7	51	12.4	24	5.8	
Gambling, lottery	218	199	91.3	19	8.7	217	178	82.0	16	7.4	2	0.9	21	9.7	
Civil rights	102	98	96.1	4	3.9	102	84	82.4	12	11.8	2	2.0	4	3.9	
Immigration	3,166	2,959	93.5	207	6.5	3,113	150	4.8	224	7.2	2,653	85.2	86	2.8	
Pornography, prostitution	96	89	92.7	7	7.3	94	78	83.0	6	6.4	5	5.3	5	5.3	
Prison offenses	373	333	89.3	40	10.7	365	149	40.8	120	32.9	85	23.3	11	3.0	
Administration of justice offenses	723	536	74.1	187	25.9	716	332	46.4	147	20.5	205	28.6	32	4.5	
Environmental, wildlife	127	120	94.5	7	5.5	121	84	69.4	4	3.3	20	16.5	13	10.7	
National defense	35	33	94.3	2	5.7	35	11	31.4	1	2.9	16	45.7	7	20.0	
Anti-trust	18	18	100.0	0	X	18	18	100.0	0	X	0	X	0	X	
Food and drug	60	54	90.0	6	10.0	60	49	81.7	2	3.3	6	10.0	3	5.0	
Other	618	538	87.1	80	12.9	604	396	65.6	108	17.9	54	8.9	46	7.6	

Note: The sentencing reform provisions of the Comprehensive Crime Control Act, Public Law No. 98-473 (1984), created the United States Sentencing Commission. The Commission's primary function is to develop and monitor sentencing policies and practices for the Federal courts. On Apr. 13, 1987, the Commission submitted its initial Sentencing Guidelines and Policy Statements to Congress. The guidelines became effective on Nov. 1, 1987, and apply to all offenses committed on or after that date. These data are derived from the United States Sentencing Commission's fiscal year 1995 data file. The Commission collected information on 38,500 cases sentenced under the Sentencing Reform Act of 1984 during fiscal year 1995 (Oct. 1, 1994 through Sept. 30, 1995), for which data were received by the Commission as of Dec. 26, 1995. Given the nature of the data file and reporting requirements, the following types of cases are not included in the data presented here: cases that solely involved petty offenses, organizational defendants, or diversionary sentences; and cases not sentenced under the Sentencing Reform Act of 1984 (non-guideline cases).

A case or defendant is defined as a single sentencing event for a single defendant (even if multiple indictments or multiple convictions are consolidated for sentencing). Multiple defendants in a single sentencing event are treated as separate cases. If an

individual defendant is sentenced more than once during the time period of interest, each sentencing event is identified as a separate case. (Source, p. 34.)

Of the 38,500 guideline cases, some were excluded due to missing information. For sex, 133 cases were excluded due to one or both of the following conditions: missing primary offense category, 123; and missing gender information, 13. For race and ethnicity, 364 cases were excluded due to one or both of the following conditions: missing primary offense category, 123; and missing race or ethnicity information, 273.

Under drug offenses, "communication facility" refers to the use of a communication facility, e.g., a telephone, in a drug trafficking offense.

^aThe Hispanic category includes both black and white Hispanics.

^bIncludes Native Americans, Alaska Natives, Asians, or Pacific Islanders.

Source: U.S. Sentencing Commission, *Annual Report 1995* (Washington, DC: U.S. Sentencing Commission, 1996), pp. 45, 47. Table adapted by SOURCEBOOK staff.